

UNITED STATES DISTRICT COURT

for the

SOUTHERN DISTRICT OF TEXAS

United States of America)

v.)

Imeldo MARTINEZ)

DOB: 1975 USC)

Defendant(s)

Case No. 14-1452-M

United States District Court
Southern District of Texas
FILED

JUL 30 2014

David J. Bradley, Clerk

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/29/2014 in the county of Starr in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess with
intent to distribute approximately 350.5
kilograms of marijuana, a schedule I
controlled substance.

This criminal complaint is based on these facts:

On July 29, 2014, at approximately 6:00 a.m., Border Patrol Agent Mike Garcia was on foot surveying an area known to RGC Agents as Alvarez Fields. At approximately 6:20 a.m., BPA Garcia observed a dark colored Sport Utility Vehicle (SUV) drive south of Candelario Perez road, which has a direct access point to the river from Highway 83 and is constantly used for narcotic smuggling. Upon approaching the brush area south of the neighborhood, BPA Garcia observed the driver turn off the SUV's lights. Turning off the lights at night is a common practice by smugglers in order to avoid detection. BPA Garcia observed the vehicle continued to travel south toward the river. BPA Garcia relayed the information to BPA Victor Soliz.

☒ Continued on the attached sheet.Approved:
Robert Wilb AUSA
7/30/2014

Complainant's signature

Marte Benas, Special Agent DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/30/2014

8:33 am



Judge's signature

City and state: McAllen, Texas

Peter E. Orsmy

Printed name and title

Attachment I

BPA Soliz responded to the area. As BPA Soliz approached Candelario Perez road, BPA Garcia observed the vehicle traveling back north and advised BPA Soliz that the same vehicle was traveling back north at a high rate of speed. BPA Garcia maintained visual on the vehicle as BPA Soliz was turning south on Candelario Perez road. BPA Soliz immediately made contact with the vehicle. After the driver of the target vehicle observed BPA Soliz' marked Border Patrol Unit, BPA Soliz observed the driver, later identified as Imeldo Martinez, exit the vehicle and jump over a small fence toward an open field. As BPA Soliz passed the vehicle, he could see numerous packages of what was believed to be narcotics throughout the vehicle. BPA Soliz was able to continue to follow MARTINEZ as he ran through the field, maintaining visual contact. BPA Soliz gave a clothing description via service radio (white shirt with stripes) as the subject was running directly toward BPA Garcia's location. MARTINEZ ran toward BPA Garcia direction, not knowing he was on foot surveying the area and was apprehended.

A total of 101 packages weighing approximately 350.5 kilograms (751 pounds) were discovered inside the vehicle. U.S Border Patrol Agents transported the narcotics and MARTINEZ to the Rio Grande City, Texas Border Patrol Station.

On the same date, at approximately 9:00 a.m., SA Martez Benas and TFO Michael Burner made contact with MARTINEZ at the Rio Grande Border Patrol Station. SA Benas as witnessed by TFO Burner read MARTINEZ his Miranda Rights in his preferred language of English. MARTINEZ invoked his Miranda Rights by requesting an attorney. No further questions were asked of MARTINEZ and the interview was terminated.